

Remarks

The Office Action dated April 7, 2006 and Advisory Action dated August 1, 2006 have been reviewed, and the following remarks are made in response thereto. In view of the following remarks, Applicants respectfully request reconsideration of this application and timely allowance of the pending claims. Upon entry of the instant amendment, claims 1, 42 and 103-109 are pending. Claims 1, 42, 103 and 109 have been amended. Written support for the claim amendments is found throughout the specification and in the original claims, thus Applicants submit that no prohibited new matter has been added.

Applicants submit that this Amendment should be entered because the amendments place the application in condition for allowance. In particular, the specification incorporates by reference several scientific journals that contain the full name for the abbreviated terms GST, SH1, PH and PTB (paragraph that begins on page 31, line 22 of the specification). Thus, entry of the full name for each abbreviated term into the specification does not constitute new matter.

Applicants appreciate the Examiner's efforts in the telephonic interview on November 21, 2006. Applicants have relied upon the Examiner's comments in that interview in making the claim amendments herein to further advance prosecution toward allowance. Applicants also understand (based on the interview) that the previous amendment filed on October 10, 2006 was not entered by the Examiner.

Notice of Defective Oath/Declaration

The Examiner requested a new oath/declaration because the declaration allegedly contained non-initialed and/or non-dated alterations. Applicants respectfully traverse the objection.

Applicants would like to thank the Examiner for the phone conversation held with Applicants' Agent on July 6, 2006. During this conversation, the Examiner agreed that the supplemental declaration submitted on June 24, 2004 corrected the deficiencies with respect to Andrew Sparks in the original declaration. Briefly, Applicants submitted that Andrew Sparks properly executed a supplemental declaration in which he was the sole signatory. Under 37 C.F.R. 1.67(a)(2) deficiencies or inaccuracies relating to fewer than all the inventors may be corrected with a supplemental oath/declaration identifying the inventive entity but signed only by the inventor(s) to whom the error or deficiency relates. Andrew Sparks properly executed a supplemental declaration, without any alterations, that was filed simultaneously with the original (allegedly defective) declaration on June 24, 2004. Therefore, Applicants respectfully request that the Examiner withdraw the notice of defective oath/declaration.

Rejections under 35 U.S.C. 112 (Second Paragraph)

Claims 1, 42 and 103-109 were rejected under 35 U.S.C. 112 (second paragraph) as being indefinite because the acronyms “GST, SH1, PH, PTB and LIM,” in claims 1 and 42 are allegedly subject to more than one interpretation. Applicants respectfully traverse the rejection.

Applicants submit that under MPEP 2111.01, “[T]he ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention, *i.e.*, as of the effective filing date of the patent application.” Applicants respectfully submit that claim 1 reads in part, “a domain of interest selected from the group consisting of GST, SH1, PH, PTB, [and] LIM.” Given that the abbreviated terms “GST, SH1, PH, PTB and LIM” are used in combination with the preceding term “domain,” these terms would be well understood and clearly defined to the skilled artisan. Accordingly, Applicants respectfully submit that the skilled artisan would have understood the acronyms that were used in the pending claims at the time the instant application was filed. Specifically, Applicants provide herein several journal articles that clearly define the acronyms GST, SH1, PH, PTB and LIM when used in the context of a protein domain. In particular, Cohen *et al.* (1995) Cell 80:237-248 and Pawson *et al.* (1995) Nature 373:573-580 provide a full name for PH and Src domains, Michelsen *et al.* (1993) PNAS USA 90:4404-4408 provides the derivation of LIM domain, Toung *et al.* (1990) PNAS USA 87:31-35 provides the full name for GST used in a protein context and Van Der Geer *et al.* (1996) PNAS USA 93:963-968 provides the full name for PTB. As such, it is apparent that the skilled artisan could readily access the meaning of the acronyms in the claims at the time the application was filed. Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1, 42 and 103-109 under 35 U.S.C. 112 (second paragraph).

Even assuming *arguendo* that the abbreviated claim terms are subject to more than reasonable interpretation, without acquiescing to the merits of the Examiner’s rejection, Applicants have amended the claims to clearly indicate the specific full-name for each abbreviated term. Specifically, Applicants amended claims 1 and 42 to specify that the term “GST” refers to Glutathione S-transferase, the term “SH1” refers to Src homology 1, the term “PH” refers to Pleckstrin homology and the term “PTB” refers to Phosphotyrosine binding. Concurrently, Applicants have amended the specification to include the full-name for each abbreviated term in order to provide clear antecedent basis for the full-names used in the amended claims. While an Applicant is not limited to the nomenclature used in the application as filed, he or she should make appropriate amendment of the specification whenever this nomenclature is

departed from by amendment of the claims so as to have clear support or antecedent basis in the specification for the new terms appearing in the claims (see MPEP 608.01(o)). Given that the specification incorporates by reference several scientific articles (*e.g.* Cohen *et al.* and Pawson *et al.*), the full name for the abbreviated claim terms are supported by the specification. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. 112 (second paragraph) be reconsidered and withdrawn.

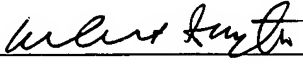
Conclusion

The foregoing amendments and remarks are being made to place the application in condition for allowance. Applicants respectfully request entry of the amendments, reconsideration, and the timely allowance of the pending claims. A favorable action is awaited. Should the Examiner find that an interview would be helpful to further prosecution of this application, they are invited to telephone the undersigned at their convenience.

If there are any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: **November 27, 2006**
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Respectfully submitted,
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